

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
BOSTON DIVISION**

<b>JAMES P. RYAN,</b>	)	
<b>Plaintiff,</b>	)	
	)	
	)	
<b>Vs.</b>	)	<b>Civil Action No. _____</b>
	)	
<b>ALZAIM, WALL, DESOUSA, HICKOX,</b>	)	
<b>COPELAND, SEA N SAND MOTEL</b>	)	
<b>CONDOMINIUM BOARD MANAGERS, (GARY)</b>	)	
<b>KELLER WILLIAMS REALTY INTERNATIONAL,</b>	)	
<b>TROY WALL ASSOCIATES</b>	)	
<b>Defendant.</b>	)	
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**Complaint**

1. Plaintiff, James P. Ryan, brings this action to enjoin and seek damages for defendant's fraudulent scheme to obtain funds from James P. Ryan and others. Over a period of numerous years, defendants repeatedly carried out this scheme by:
  - a. Claiming an emergency dire situation to impose a Special Assessment on 162-168 Capt. Chase Road, Dennis Port, MA. 02639.
  - b. Creating documents that stated that the Sea N Sand Condominiums needed to be razed or funded with \$600,000 to \$700,000 worth of repairs.
  - c. Enforcing a Special Assessment to fund extensive renovation plans.
  - d. Securing monies from all condominium owners without applying proportional calculations as required.
  - e. Misleading condominium owners, Division of Professional Licensure, and the Orleans District Attorney's Office on the authenticity of their "Structural Engineer's Report" on February 26, 2014,

Docket #1326-001541, despite an “admission to sufficient facts” by John DeSousa, who received probation and a fine.

- f. Requesting Defendant Alzaim not to sue any of the parties for the false use of his professional stamp while he purportedly “never stepped foot” on the said Dennis Port property.
- g. Directing (through legal counsel Atty. Wall of Troy Wall Associates) Association President Father Copeland not to turn over any financial records, annual tax returns, annual audit, or documents, duly stated in the By-Laws of the Sea N Sand Motel Condominium Association, over the course of several years while said plaintiff was disputing this matter.
- h. Not notifying past and current unit owners that said falsified documents were used at any time, thus negating any “fiduciary responsibility” that said legal counsel and the Board of Managers are entrusted with at any given time.

### Parties

1. **James P. Ryan**, a family man and former long-time owner of Unit 23 at Sea N Sand for almost 20 years with the hope of his daughters adding another generation of family vacations, with a usual place of business at 1268 Broadway, Unit C, #247, Saugus, MA. 01906.
2. **Aboud Alzaim**, with a usual place of business at 475 School St., Marshfield, MA. 02050, is a Massachusetts Licensed Engineer, President-AJA Engineering and an accomplished design / construction executive with over 35 years of experience.
3. **Brian Wall**, is a Massachusetts Licensed Attorney, with a usual place of business at 90 Route 6A, Sandwich, MA. 02562. Atty. Wall is a Lawyer in a General Practice and direct legal counsel to the Sea N Sand Motel Condominium Association.
4. **John DeSousa**, with a usual place of business at 4 Court St., Suite 101, Taunton, MA. 02780 is a Massachusetts Licensed Civil Engineer and CEO of Sea Coast Consulting, LLC.

5. **Brian Hickox**, with a usual place of Business at 254 East Central St., Franklin, MA. 02038, is a long time Massachusetts Licensed Real Estate Broker for Keller Williams Realty Premier Properties, procuring real estate transactions.
6. **Father Leonard Copeland**, with a usual place of business at 61 Mt. Pleasant Ave., Roxbury, MA. 02119 is a long time Carmelite Friar and the long time President / Treasurer of Sea N Sand Motel Condominium Association.
7. **Sea N Sand Condominium Association Board of Managers**, with a usual place of business at P.O. Box 35883, Brighton, MA. 02135. The Board of Managers has a fiduciary responsibility to its condominium unit owners.
8. **Gary Keller**, Keller Williams Realty International is an American Technology and International Real Estate Franchise with Headquarters at 1221 So-Mopac Expressway, Austin, Texas, 78746
9. **Troy Wall Associates**, with a usual place of business at 90 Route 6A, Sandwich, MA. 02562. Troy Wall Associates is a General Practice Law Firm.

**THE DEFENDANT'S SCHEME**

10. In the late spring of 2012, the defendants engaged in the creation and distribution of documents purported to be a Structural Engineer's Report outlining the dire conditions of the Sea N Sand Condominiums.
11. To fund emergency repairs or demolish the two structures an Emergency Special Assessment was created for hundreds of thousands of dollars.
12. At least five long time elderly owners sold at "fire sale" prices, thus drawing down the fair market values of many similar condominium units in the Dennis Port area.
13. Commencing in or about 2012, the defendants, acting singly or in concert with each other and / or with one or more whose identities are as yet unknown, engaged in a scheme to obtain funds from plaintiff and others, through false pretenses.
14. Based on plaintiff's investigation, the defendant's scheme was carried out as follows:
  - a) In or about May, 2012, Atty. Brian Wall of Troy Wall Associates notified owners of the By-Law sanctioned Emergency Repair Special Assessment Provision of the Condominium By-Laws
  - b) Sea N Sand's Board of Managers began notifying owners of monies due. Keller Williams Realty Premier Properties Broker Brian Hickox created a "sell and buy back" program and Atty. Brian Wall presented the program including a "secret Boston Private Investor" at Dennis Port Public Library.
  - c) Sea N Sand owners were pitched with option, by the defendants, of a first right of refusal to buy their condominiums back after the new two story building was to be constructed.
  - d) Further attempts to move the project forward were thwarted when plaintiff Ryan became a whistleblower by reporting the said actions to investigator Matthew Runge at the Division of Professional Licensure of the Commonwealth of Massachusetts.
  - e) Defendants Troy Wall Associates and Father Leonard Copeland subsequently targeted said plaintiff Ryan with such actions as misrepresenting financial transactions to a Federally-Chartered Citizens Bank, to Father Copeland ordering Mr. Ryan's federally-wired Cable Television service to be cut which led Father Copeland to be found Guilty in Lynn (MA) District Court on 12/5/2014, Docket #1413SC002404.

- f) Defendant Brian Hickox continues to inform his Franchisor Keller Williams Realty International and its Regional Executives that he was not a participant in said scheme nor part of any “sell and buy back” program.
- g) Defendant Gary Keller and other Keller William Realty International Regional Executives refuse to admonish Franchise Representative Hickox for creating credibility and expertise in the publicly-presented “sell and buy back” program backed by a “secret Boston Private Investor.”

**COUNT I**  
**FRAUD AND DECEIT (ALL DEFENDANTS)**

- 15. The defendants engaged in this fraudulent scheme knowingly and intentionally, and for the purpose of financial gain.
- 16. As a consequence of the defendant’s fraudulent and deceitful conduct, James P. Ryan has been deprived of over \$50,000, and defendants have been, and may continue to be, unjustly enriched.

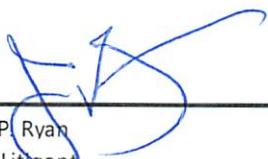
**COUNT II (ALL DEFENDANTS)**  
**18 U.S.C. §1341 – Fraud & Swindles**  
**18 U.S.C. §1017 – Fraudulent Seal Use**

- 17. In or about August 2017, the Plaintiff, James P. Ryan learned just days prior to the closing of his Condominium, Unit #23, that the defendants had never replaced the Counterfeit, forged documents, (aka Structural Engineer’s Report) with an authentic Structural Engineer’s Report to justify the monies collected.
- 18. As a consequence of the breach by the defendants, Mr. Ryan closed on the Unit under duress and Atty. Wall and Father Leonard Copeland offered Mr. Ryan an NDA with \$4,500 not to sue any of the parties. Mr. Ryan refused to sign such a document.

**RELIEF SOUGHT**

**WHEREFORE**, Plaintiff prays that this court will **ORDER** defendants to collectively pay plaintiff the full total value of his losses suffered as a result of the above listed fraudulent conduct. Also, plaintiff request this Court orders he be reimbursed all attorney fees incurred in bringing this complaint to court.

Respectfully submitted this 28 day of July, 2020.

X   
\_\_\_\_\_  
James P. Ryan  
Pro Se Litigant

**CERTIFICATE OF SERVICE**

I, James P. Ryan, do hereby certify that I have properly served a full and complete copy of the forgoing complaint upon each of the defendants at their respective addresses listed above under parties, by United States Postal Service, (certified mail) with the proper postage affixed. Confirmation of their receipt of said complaint, shall be filed with the Clerk of this Court at a later date.

Date: 7/28/2020

X   
\_\_\_\_\_  
James P. Ryan  
Pro Se Litigant

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

## Defendant No. 1

Name	Aboud Alzaim
Job or Title ( <i>if known</i> )	AJA Engineering
Street Address	475 School Street # 1
City and County	Marshfield, Plymouth County
State and Zip Code	MA 02050
Telephone Number	781-536-8624
E-mail Address ( <i>if known</i> )	

## Defendant No. 2

Name	Brian Wall
Job or Title ( <i>if known</i> )	Law Office of Troy Wall Associates
Street Address	90 Route 6A
City and County	Sandwich, Barnstable County
State and Zip Code	MA 02562
Telephone Number	508-888-7500
E-mail Address ( <i>if known</i> )	

## Defendant No. 3

Name	John DeSousa
Job or Title ( <i>if known</i> )	Sea Coast Consulting LLC
Street Address	4 Court Street, Suite 101
City and County	Taunton, Norfolk County
State and Zip Code	MA 02562
Telephone Number	800-946-1575
E-mail Address ( <i>if known</i> )	

## Defendant No. 4

Name	Gary Keller
Job or Title ( <i>if known</i> )	Keller Williams Realty International
Street Address	1221 So-Mopac Expressway
City and County	Austin, Travis County
State and Zip Code	TX. 78746
Telephone Number	512-439-8785

Pro Se I (Rev. 09/16) Complaint for a Civil Case

B. Defendant No. 5

Name  
 Job or Title (if known)  
 Street Address  
 City and County  
 State and Zip Code  
 Telephone Number  
 E-mail Address (if known)

BRIAN HICKOX  
Keller Williams Brokerage Broker  
254 EAST CENTRAL ST.  
FRANKLIN, NORFOLK COUNTY  
MASS 02038  
508-528-1000

Defendant No. 6

Name  
 Job or Title (if known)  
 Street Address  
 City and County  
 State and Zip Code  
 Telephone Number  
 E-mail Address (if known)

FATHER LEONARDO Capelano  
CARMELITE FRATEL  
61 MT. PLEASANT ST.  
ROXBURY, SUFFOLK COUNTY  
MA. 02119  
617-442-1411

Defendant No. 7

Name  
 Job or Title (if known)  
 Street Address  
 City and County  
 State and Zip Code  
 Telephone Number  
 E-mail Address (if known)

SEA N SAND MOTEL Condominium  
BOARD OF MANAGERS of L. Capelano  
166 Foster St.  
BRIGHTON, MA, SUFFOLK COUNTY  
MA. 02135  
617-787-5056

Defendant No. 8

Name  
 Job or Title (if known)  
 Street Address  
 City and County  
 State and Zip Code  
 Telephone Number  
 E-mail Address (if known)

TROY WALL Associates  
LAW FIRM  
90 MA-6A  
SANDWICH, BARNSTABLE COUNTY  
MA. 02563  
508-888-7500

E-mail Address (*if known*)

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**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

- Federal question       Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

18 U.S.C. 1341 - Fraud and Swindles  
18 U.S.C. 1017 - Fraudulent Seal Use

**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

## 1. The Plaintiff(s)

## a. If the plaintiff is an individual

The plaintiff, (*name*) James P. Ryan, is a citizen of the  
State of (*name*) Massachusetts.

## b. If the plaintiff is a corporation

The plaintiff, (*name*) \_\_\_\_\_, is incorporated  
under the laws of the State of (*name*) \_\_\_\_\_,  
and has its principal place of business in the State of (*name*)  
\_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

## 2. The Defendant(s)

## a. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of \_\_\_\_\_.  
the State of (name) \_\_\_\_\_ . Or is a citizen of  
(foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) Sea N Sand Motel & Condominium , is incorporated under  
the laws of the State of (name) Massachusetts , and has its  
principal place of business in the State of (name) Boston Massachusetts .  
Or is incorporated under the laws of (foreign nation) United States ,  
and has its principal place of business in (name) Boston Massachusetts .

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

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**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Fraud and Swindle of value of monies in excess of \$50,000 collected through counterfeit "Structural Engineer's Report.

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**IV. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

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## V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

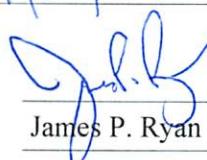
### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

7/28/2020

Signature of Plaintiff



Printed Name of Plaintiff

James P. Ryan

### B. For Attorneys

Date of signing:

Signature of Attorney

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Printed Name of Attorney

---

Bar Number

---

Name of Law Firm

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Street Address

---

State and Zip Code

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Telephone Number

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E-mail Address

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